

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 41

March 11, 1999, 3:25 p.m.
Page S-2560 Temp. Record

EDUCATION MANDATE WAIVERS/Federal Funds to Hire Teachers

SUBJECT: Education Flexibility Partnership Act . . . S. 280. Jeffords motion to table the Bingaman (for Murray/Kennedy) amendment No. 64 to the committee substitute amendment No. 31.

ACTION: MOTION TO TABLE AGREED TO, 55-44

SYNOPSIS: As reported, S. 280, the Education Flexibility Partnership Act, will expand eligibility for participation in the Education Flexibility (Ed-Flex) Program to all 50 States (currently only 12 States are eligible). Under the program, an eligible State may request that the Department of Education give it the right to grant to local education agencies waivers of certain Federal education regulatory and statutory requirements. A State that gives a waiver to a local education agency also must waive its own similar statutory and regulatory education requirements. Certain Federal regulatory and statutory requirements, including requirements relating to health and safety and civil rights, may not be waived. (Federal education funding provides between 6 percent and 7 percent of total public school funding, a third of which is for nutrition rather than education programs. The Federal Government closely controls how the funds it gives are spent, which hampers local innovation. Also, the 4 percent of funding that it gives is responsible for more than 50 percent of the administrative work in many school districts, due to the extensive paperwork requirements that come with Federal assistance.)

The committee substitute amendment would add public notice provisions, strengthen accountability provisions, and make technical corrections as agreed to by the managers.

The Bingaman (for Murray/Kennedy) amendment would authorize \$11.435 billion over fiscal years (FYs) 2000-2005 for a new Federal program to hire public school teachers. In last year's omnibus appropriations bill (see 105th Congress, second session, vote No. 314), \$1.2 billion was appropriated to give local grants to hire teachers, though no program had been authorized for that purpose. That funding has not yet been distributed to local school districts. It is not scheduled to be distributed until July. Under the terms of last year's appropriations bills: none of the funding will be used to pay for State or Federal administrative expenses, and local educational agencies (LEAs) will not spend more than 3 percent of the amounts received on such expenses; none of the

(See other side)

YEAS (55)		NAYS (44)		NOT VOTING (1)	
Republicans (55 or 100%)	Democrats (0 or 0%)	Republicans (0 or 0%)	Democrats (44 or 100%)	Republicans (0)	Democrats (1)
Abraham	Hutchinson		Akaka	Johnson	
Allard	Hutchison		Baucus	Kennedy	
Ashcroft	Inhofe		Bayh	Kerrey	
Bennett	Jeffords		Biden	Kerry	
Bond	Kyl		Bingaman	Kohl	
Brownback	Lott		Boxer	Landrieu	
Bunning	Lugar		Breaux	Lautenberg	
Burns	Mack		Bryan	Leahy	
Campbell	McCain		Byrd	Levin	
Chafee	McConnell		Cleland	Lieberman	
Cochran	Murkowski		Conrad	Lincoln	
Collins	Nickles		Daschle	Mikulski	
Coverdell	Roberts		Dodd	Moynihan	
Craig	Roth		Dorgan	Reid	
Crapo	Santorum		Durbin	Reid	
DeWine	Sessions		Edwards	EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other	
Domenici	Shelby		Feingold		
Enzi	Smith, Bob		Feinstein		
Fitzgerald	Smith, Gordon		Graham		
Frist	Snowe		Harkin	Schumer	
Gorton	Specter		Hollings	Torricelli	
Gramm	Stevens		Inouye	Wellstone	
Grams	Thomas			Wicker	
Grassley	Thompson			SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
Gregg	Thurmond				
Hagel	Voinovich				
Hatch	Warner				
Helms					

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

funds will be used to increase teacher pay or benefits, or to substitute for State or local funds used to hire new teachers; funds will be distributed by formula (80 percent will be based on the number of poor children in an LEA's schools and 20 percent will be based on the total number of children in an LEA's district); funds will be used to recruit, hire, and train certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes; funds will also be used for teacher testing or certification and for providing professional development, including for special education teachers and teachers of special-needs children, though no more than 15 percent of funds will be used for the second two purposes; and if an LEA has reduced class size to 18 or fewer students, it will be allowed to use any amount of funds for improving teacher quality, including through professional development (though the 15-percent restriction will still apply to teacher testing or certification). The Kennedy/Murray amendment would authorize funding over the next 6 years under essentially the same terms as it was appropriated without authorization in last year's omnibus bill, with the main exception being that in FYs 2004-2005 it would not permit any funds to be used for teacher testing or certification.

Debate was limited by unanimous consent. After debate, Senator Jeffords moved to table the amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

For debate, see vote Nos. 36 and 39.